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3 JUN 1974

MEMORANDUM FOR: Director of Central Intelligence

VIA : Deputy Director for Management
and Services
Deputy Director for Science
and Technology
Legislative Counsel
General Counsel

FROM : Acting Director of Security

SUBJECT : Release of Material on the Agency's
Use of Polygraph to the House
Committee on Government Operations

1. Action Requested: It is requested that you approve the attached unclassified statement to be provided the Foreign Operations and Government Information Subcommittee, House Government Operations Committee at the hearing scheduled for 5 June 1974.

2. Basic Data:

a. On 5 October 1973 you received a questionnaire from Forrest R. Browne, Director, United States General Accounting Office, acting for the Chairman of the Subcommittee, for information on the use by Federal agencies of polygraphs and psychological stress evaluations and of telephone monitoring and other surveillance practices. You responded on 17 April 1974.

b. On 9 May 1974 you received a letter from Representative William S. Moorhead, Chairman, Foreign Operations and Government Information Subcommittee requesting Agency testimony on 5 June 1974 to supplement information provided in our response to the October 1973 questionnaire. A "high-ranking" official, a "policy witness" is requested. He is to be accompanied by an expert

MORI/CDF Pages 1 thru 4

who has intimate knowledge of the extent and nature of the use of polygraph. The initial oral statement is to be limited to ten minutes. Questions from the Subcommittee members will follow. STAT

c. [redacted] Associate Legislative Counsel, has met with staff members of the Subcommittee. They provided a fairly definitive outline of their objectives in the scheduled hearing. They agreed in principle that the Agency representative give the requested ten-minute prepared statement in open session and then request executive session for questions and answers because classified information may be required. The Subcommittee objective is to update previous hearings of 1964 and to establish what the pattern has been over the last decade. They would seek to determine to what extent more use is being made of technical means for employment screening or "plugging the leaks." They are also interested in the loan of polygraph to other agencies. The Subcommittee would appreciate any available comparisons between present and previous use of the polygraph.

d. We have drafted the attached material for your consideration and propose its use as the required prepared statement in open session by the Deputy Director for Management and Services, who will serve as the Agency representative.

3. Staff Position: We believe this material provides an accurate unclassified summary of the Agency's polygraph program and is responsive to the Committee's request.

4. Recommendation: In view of the above, it is recommended that you approve the use of the attached material as the Agency's prepared statement to be provided in open session to the Subcommittee on 5 June.

STAT

SIGNED

[redacted]
Acting Director of Security

Att

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Committee on Government Operations**

CONCURRENCES:

STAT

/s/ 3 JUN 1974
for Carl E. Duckett
Deputy Director
for
Science and Technology
Date

STAT

/s/ 3 JUN 1974
for John S. Warner
General Counsel
Date

STAT

/s/ 3 JUN 1974
for George L. Cary, Jr.
Legislative Counsel
Date

/s/ Harold L. Brownman
4 JUN 1974
HAROLD L. BROWNMAN
Deputy Director
for
Management and Services
Date

APPROVED: */s/* Harold L. Brownman 4 JUN 1974
per telephone conversation
with Mr. Colby
DISAPPROVED: _____

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TAB

FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE
OF THE
COMMITTEE ON GOVERNMENT OPERATIONS

5 June 1974

Testimony of Harold L. Brownman, Deputy Director for Management and Services, Central Intelligence Agency

Mr. Chairman, Members of the Committee.

The Central Intelligence Agency is happy to be of all possible assistance to the Committee and its staff concerning the CIA's use of the polygraph. This opening statement has been prepared with that thought in mind. However, we believe that an executive session of the Committee for the ensuing question period will permit us to more freely respond since we may have to touch upon classified matters in satisfaction of your questions. May we request, Mr. Chairman, that the question and answer period of this hearing be held in executive session.

The CIA is familiar with the recommendations of this Committee which were made in its Tenth Report, including the recommendation that an interagency committee be established to study problems posed by the Federal Government's use of polygraphs and to work out solutions to those problems.

In the years 1964 to the present, the CIA has attempted to comply with your recommendations and with the spirit of the recommendations made by the interagency committee.

The CIA, as an Agency with an intelligence mission, uses the polygraph in its applicant security screening program. All positions in the Agency are sensitive within the criteria established in Executive Order 10450. All full-time, permanent employees of the Agency possess Top Secret clearances.

The Director of Central Intelligence has put out a Directive governing our use of the polygraph. Under the terms of this Directive, a copy of which has been provided the Committee,

The Director of Security is responsible for the supervision and training of polygraph examiners and for the conduct of the polygraph program of the CIA. He is charged by the DCI with the responsibility of insuring that the highest standards of operating procedures and equipment capability are established.

The polygraph is used in the CIA as an aid to investigation for determining the security eligibility of persons for employment by or assignment to the Agency; staff-like access to sensitive Agency installations; [redacted] or continued access to classified information where implications of a security nature or investigative information require clarifying security interviews.

25X

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The polygraph is not used on official or administrative matters involving possible malfeasance, or for the sole purpose of determining violations of the criminal laws of any country.

If a polygraph examination involved a question pertaining to the violation of a criminal law, the individual would be informed of his privilege against self-incrimination and his right to consult with legal counsel or other professional assistance prior to the examination. Notification of such rights would be formally recorded.

Each applicant for employment is notified, at the time he is given application forms, of the intent to use a polygraph examination in the course of his employment processing. A copy of this form has been provided to this Committee.

He is told, before testing, the general content of all questions which he will be asked. The questions, since they are couched in broad terms, are discussed carefully with the applicant and the examiner works with the applicant to tailor the question to his/her age, sex and background. All the testing procedures are explained.

Before a person undergoes a polygraph examination, his consent is obtained in writing.

If an applicant asks, he is told if the polygraph examination is being monitored or recorded.

Before an applicant is polygraphed, he has been interviewed by representatives of the Office of Personnel and Office of Medical Services. A security field investigation has also been initiated. Guidance from the Office of Personnel and the Medical Staff is routinely provided to the Office of Security if any information has been developed as a result of their screening procedures that might preclude the advisability of conducting a polygraph interview.

The Director of Security is responsible for establishment of adequate safeguards designed to prevent unwarranted invasion of privacy.

All questions must have specific relevance to the person being polygraphed, and to the purpose of that particular test.

Examiner's instructions have been prepared in sensitive question areas to ensure that persons undergoing polygraph interrogation are not subjected to questioning about irrelevant, unwarranted or trivial matters. The interview is not used to probe a person's thoughts about conduct which has no security implications; e.g., religious beliefs,

practices, and affiliations; opinions regarding racial matters; political activities or organizational affiliations of a nonsubversive nature; and personal views concerning proposed or existing legislation.

The Director of Security maintains separate files for information obtained during polygraph examinations. By separate we mean separate from Security files as well as separate from Personnel files and, of course, we do not put any polygraph derived information on computers or in computer data banks. Polygraph information is released only to appropriate Agency officials when it has a direct bearing on a decision to be made by that official.

Polygraphed acquired information can only be released outside the Agency after a determination has been made, which is approved by the Director or Deputy Director of Central Intelligence, that such a release is necessary in the interest of national security.

I feel it would be appropriate here to make three basic points.

The polygraph examiner makes no recommendation as to the security suitability or status of the person tested.

The polygraph report is evaluated as but one element of the total investigative record.

At no time is security action taken solely on the basis of the polygraph charts.

Moving from procedures into the research area, you recall that one of this Committee's primary recommendations was that a program of research on polygraph be undertaken to investigate the validity and reliability of the procedure. We are conducting such a program.

Reliability, defined as consistency of interpretation of polygraph charts, has been looked at by means of examiner agreement studies. Agreement figures from our studies are comparable to figures from similar studies of other groups interpreting data germane to their specialties.

On the other hand, validity--or the degree to which polygraph charts measure what they purport to measure--has been a more difficult issue to evaluate. Satisfactory independent criteria for validating real life conditions are scarce, and the differences in polygraph subject attitudes between real life and laboratory conditions have prevented much headway through laboratory experiments. The data so far available have not been disappointing, but they are limited, and we still lack an appropriate scientific base for any conclusions.

We also investigated validity in the sense of utility--the degree to which the polygraph program does what it is intended to do. As you can see from this chart, in each year since 1964 a significant number of security disapprovals of applicants who were processed to the point of the polygraph interview has been due to the polygraph portion of our security processing.

Alternative sensors have been evaluated--for example, a more sophisticated electrodermal sensor; impedance rather than mechanical sensors; electromyography; electroencephalography; microvibration; electrooculography; pulse-wave velocity; and cardiometry. We can generally state that while many of these alternatives show some promise, they have not shown sufficient practical promise to cause us to modify our present instrumentation. This does not close the door on new parameter research. This is a continuing process.

We have shifted to a different model of polygraph instrument than the one we were using at the time of the last hearing, and we feel it is mechanically superior. We are continuing to evaluate new instrumentation as it becomes commercially available, and we are continuing our own search for improved instrumentation.

We have developed a computer system which was utilized heavily in the previously mentioned studies of reliability and of mathematical modelling of examiner performance. We were also, naturally, interested in determining the computer system's practical utility as an additional parameter to actual polygraph operations. Utilizing all that was learned during the evolution of our experimental arrangement, we have full specifications for constructing a dedicated computer system to assist the examiner in chart interpretation. We are now in the process of evaluating the cost-effectiveness of the dedicated computer system.

Preliminary efforts have been undertaken in the field of countermeasures to polygraphy. We have plans for a long-range systematic program studying the possibilities in this field, but of course results are not yet available on these studies.

Voice analysis has drawn our attention. We have been interested in this field for several years, and have been monitoring research in this area conducted by other institutions. We do not believe that research to date has been exhaustive or conclusive and, accordingly, we are planning our own analysis of its possibilities. This project is still in its developmental state.

In conclusion, it should be made clear that we feel this Committee, in looking into polygraph procedures, has performed a very useful function. It has stimulated much needed research by our Agency and has made us take a careful look at our procedures. And now, Mr. Chairman, may we request executive session for the question and answer period.